

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.3076 of 2015

Bijayalaxmi Sahoo

....

Petitioners

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

05.07.2022

Order No

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. J.K. Khuntia, learned counsel for the Petitioner and Mr. N.N. Satpathy, learned Standing counsel appearing for the Opp. Parties.
3. The Petitioner has filed the present writ Petition with the following prayer:-

“Under the circumstances, it is humbly prayed therefore that this Hon’ble Tribunal may be graciously pleased to direct the Respondents to issue an appointment letter in favour of the applicant under Rehabilitation Assistance Scheme within a time stipulated by this Hon’ble Tribunal since same has been allowed by the Respondent No. 3 and to save the family from hardship.

Or pass any other order/orders or direction/directions beissued so as to give complete relief to the applicant.

And allow this Original Application with cost.”

4. It is submitted that even though the claim of the Petitioner for his appointment under the provision of Rehabilitation Assistance Scheme was duly forwarded by the then D.I. of Schools, Jagatsinghpur to the Director, Elementary Education vide Communication dtd.11.04.2007 under Annexure-7, but till date no decision has been taken on such claim of the Petitioner.

5. Even though notice of the writ Petition was issued on 15.10.2015, but no counter has been filed till date. Considering the materials available on record and the fact that the claim of the Petitioner has been duly recommended at Annexure-7, this Court while disposing the matter directs the O.P. No. 2 to take a decision on the same strictly in accordance with law and the position prevalent at the time of death of the deceased employee within a period of three (3) months from the date of receipt of this order. The Order so passed be also communicated to the Petitioner within that time.

6. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha